

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
NORTHERN DIVISION

JANIE L. KINSEY, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
v.	)	CASE NO. 2:05-cv-636-F
	)	WO
C. LANCE GOULD, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the Court that:

1. The plaintiffs' objection (Doc. #16) to the Recommendation of the Magistrate Judge (Doc. #15) filed on November 28, 2005 is OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. # 15) entered on November 14, 2005 is ADOPTED;
3. The Gould's motion to dismiss is GRANTED and that the Kinseys' claims against Gould are DISMISSED WITHOUT PREJUDICE.
4. This case is referred back to the Magistrate Judge for appropriate proceedings.

DONE this 1st day of December, 2005.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE